

FILED

APR 10 2026

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY ODC SEBLTY

LALEM YESHIWAS MENBERU
NAME



Imperial Regional Detention Facility
PLACE OF CONFINEMENT

1572 Gate way R.D. Calexico CA 92231
ADDRESS

United States District Court
Southern District Of California

LALEM YESHIWAS MENBERU
(FULL NAME OF PETITIONER)

Petitioner

v.

Warden Jeremy Casey
(NAME OF WARDEN, SUPERINTENDENT, JAILOR, OR AUTHORIZED
PERSON HAVING CUSTODY OF PETITIONER, E.G. PAROLE OFFICER)

Respondent

and

The Attorney General of the State of
California, Additional Respondent.

Civil No. '26CV2341 JES BJW

(TO BE FILLED IN BY CLERK OF U.S. DISTRICT COURT)

PETITION FOR WRIT OF HABEAS CORPUS-

UNDER 28 U.S.C. § 2241

I. Are you currently:

- A pretrial detainee (waiting for trial on criminal charges)
- Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime

If you are currently serving a sentence, provide:

(a) Name and location of court that sentenced you: _____

(b) Docket or case number (if you know): _____

(c) Date of sentencing: _____

Being held on immigration charge

Other (explain): _____

2. Are you currently being held on orders by:
 Federal authorities State authorities Other - explain:

DHS

3. What are you challenging in this petition:

- How your sentence is being carried out, calculated, or credited by prison or parole authorities
- Pretrial detention
- Immigration detention
- Detainer
- The validity of your conviction or sentence as imposed
- Disciplinary proceedings
- Other (specify): _____

4. Provide more information about the decision or action you are challenging:

(a) Name and location of the court or agency: Imperial Immigration court
2409 La Brucherie Road Imperial CA 92231

(b) Case number, docket number or opinion number (if you know): ~~XXXXXXXXXX~~

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed): Bond / parole

(d) Date of the decision or action: 01-25-2025

5. Did you appeal the decision, file a grievance or seek an administrative remedy?

Yes No

(a) If your answer to 5 was "Yes," give the following information:

(1) Name of court, agency or authority: _____

(2) Date of filing: _____

(3) Case number, docket number or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If your answer to 5 was "No," explain why you did not appeal: I did not because
it would be futile

6. After the first appeal, did you file a second appeal to a higher authority, court or agency?

Yes No

(a) If your answer to 6 was "Yes," give the following information:

- (1) Name of court, agency or authority: _____
- (2) Date of filing: _____
- (3) Case number, docket number or opinion number: _____
- (4) Result: _____
- (5) Date of result: _____
- (6) Issues raised: _____

(b) If your answer to 6 was "No," explain why you did not appeal: I did not
because it would be futile

7. After the second appeal, did you file a third appeal to a higher authority, agency or court?

Yes No

(a) If your answer to 7 was "Yes," give the following information:

- (1) Name of court, agency or authority: _____
- (2) Date of filing: _____
- (3) Case number, docket number or opinion number: _____
- (4) Result: _____
- (5) Date of result: _____
- (6) Issues raised: _____

(b) If your answer to 7 was "No," explain why you did not appeal: I did not because
it would be futile

8. State *concisely* every ground on which you claim that you are being held in violation of the constitution, law or treaties of the United States. Summarize *briefly* the facts supporting each ground. If necessary, you may attach pages stating additional grounds and facts supporting same.

CAUTION: In order to proceed in the federal court, you must ordinarily first exhaust your available court remedies as to each ground on which you request action by the federal court. Moreover, if you fail to set forth all grounds in this petition, you may be barred from presenting additional grounds at a later date.

You should raise in this petition all available grounds on which you base your allegations that you are being held in custody unlawfully.

GROUND ONE: I have been detained for over one year

(a) Supporting FACTS (state briefly without citing cases or law) The approach
adopted by the United States Court of Appeals for
the Ninth Circuit is to apply a bright-line rule
to cases of mandatory detention where the Government's
statutory mandatory detention authority is limited
to a six month period subject to a finding of
flight risk or dangerousness.

(b) Did you present Ground One in all appeals that were available to you?

Yes No

GROUND TWO: I am not a flight risk or danger to
the community

(a) Supporting FACTS (state briefly without citing cases or law):

who have live a long time in United state and
American citizen a law abider and a tax payer
who is faithfully employes and will insure that
I attend all my immigration court proceedings and
accomodate me and take care of my basic needs
throughout my immigration proceedings.

(b) Did you present Ground Two in all appeals that were available to you?

Yes No

GROUND THREE: Fifth Amendment.

(a) Supporting FACTS (state briefly without citing cases or law): it is well settled

that the fifth Amendment entitles aliens to due process in deportation proceedings the due process clause applies to all person within the United States, including aliens whether their presence here is lawful, unlawful, temporary or permanent more than a decade ago in the Zadvydas decision, the United States Supreme Court signaled its concerns about the constitutionality of a statutory scheme that ostensibly authorized indefinite detention of non citizens two years later when the court upheld the constitutionality of 8 U.S.C. § 1226(c) in the Demore decision it emphasized that for detention under the statute to be reasonable it must be for a brief period of time, Justice Kennedy explained in his concerns in the Demore decision that where there to be an unreasonable delay by the immigration and naturalization service in pursuing and completing deportation proceedings it could become necessary then to inquire whether the detention is not facilitate deportation or to protect against risk of flight or dangerousness but but it

(b) Did you present Ground Three in all appeals that were available to you? incarcerate for other reasons.

Yes No

GROUND FOUR: there is no significant likelihood of my
release in the near future

(a) Supporting FACTS (state briefly without citing cases or law): the duration of
my current detention has been unreasonable
prolonged and there is reason to anticipate
significant future detention during my immigration
proceedings even if I receive an adverse decision
I can appeal appeal to the board of immigration
appeal (BIA) which can take months afterwards
appeal to the ninth circuit which could take two
years or longer.

the condition of confinement has been affecting
me psychologically and most time - get depressed
because I have been caught away from the rest of
the world we have been forbidden from accessing
the internet which is hard for me communicate
with my family especially my wife and my
lovely children.

(b) Did you present Ground Four in all appeals that were available to you?

Yes No

9. If any of the grounds listed in 4A, B, C, and D were not previously presented in any other court, state or federal, state briefly what grounds were not presented, and give your reasons for not presenting

them:

It did not because there was no reason
to present them

10. Do you have any petition or appeal now pending in any court, either state or federal, as to the execution of sentence under attack?

Yes No

11. Give the name and address, if known, of each attorney who represented you in the following stages of the execution of sentence attacked herein:

(a) In any post-conviction proceeding _____

N/A

(b) On appeal from any adverse ruling in a post-conviction proceeding _____

N/A

Wherefore, petitioner prays that the Court grant petitioner relief to which he may be entitled in this proceeding.

I pray this Court grants me release or a bond hearing in front of an Immigration Judge

SIGNATURE OF ATTORNEY (IF ANY)

I declare under penalty of perjury that the foregoing is true and correct. Executed on

4-3-2026

(DATE)



SIGNATURE OF PETITIONER